

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERNST WENDL,

Defendant.

Case No. 11-cv-12267

HONORABLE STEPHEN J. MURPHY, III

**ORDER ADOPTING REPORT AND RECOMMENDATION (docket no. 23), AND
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (docket no. 16)**

The United States of America filed its complaint against Ernst Wendl seeking to collect his unpaid student loan debt. It filed a motion for summary judgment, which was referred to a magistrate judge for a report and recommendation. The magistrate judge issued his report on May 22, 2012, recommending the Government's motion be granted.

The report stated that any objections to the report and recommendation must be filed within fourteen days of service of the report and warned that "[f]ailure to file specific objections constitutes a waiver of any further right of appeal." Report at 6, ECF No. 23 (citations omitted).

De novo review of a magistrate judge's findings is only required where a party has properly objected to the proposed findings and recommendations. Fed. R. Civ. P. 72(b)(3). A copy of the report and recommendation was served upon Wendl on May 22, 2012. He failed to file any objection within the time provided. De novo review of the magistrate's finding is, therefore, not required.

The Court has reviewed the file and the report and recommendation, and finds that the magistrate judge's analysis is proper. Accordingly, it will adopt the report's findings and conclusions, and will enter an appropriate judgment.

WHEREFORE it is hereby **ORDERED** that report and recommendation of May 22, 2012, (docket no. 23) is **ADOPTED** and Plaintiff's motion for summary judgment (docket no. 16) is **GRANTED**.

It is **FURTHER ORDERED** that by Tuesday, July 10, 2012, Plaintiff shall submit a verified affidavit of the total amount of principal owed, together with capitalized interest which has accrued as of the date of the affidavit. It shall also provide an accounting of the interest rate that will be applied from the date of judgment.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: July 5, 2012

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 5, 2012, by electronic and/or ordinary mail.

Carol Cohron
Case Manager